

TODD J. O'MALLEY  
MARY ANNE O. LUCAS  
THOMAS E. LUCAS, JR.



KYLE D. STELMACK  
ARMAND E. OLIVETTI, JR.  
Of Counsel

September 21, 2018

The Honorable Judge James Munley  
United States District Court  
Middle District of Pennsylvania

*via electronic filing*

RE: Richard Gray v. Kimberly Clark Global Sales, LLC, et al  
Docket #: 3:16-CV-00855-JMM

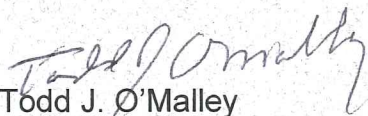
Dear Judge Munley:

In follow-up to the conference call held on August 23, 2018 in the above-captioned matter, I hereby provide the following update to the Court with regard to the status of settlement. While the parties to the pending action intend to be bound by the settlement terms previously outlined, settlement cannot be completed until an agreement is reached with respect to the workers' compensation lien.

Although the parties have attempted to reach an agreement on the amount of the lien, it appears likely that a ruling from a North Carolina Superior Court judge will be necessary. Please be advised that Plaintiff prepared and will be filing a Petition with the North Carolina Superior Court to determine the amount of the workers' compensation lien. We anticipate a hearing date on this Petition no later than November 2018.

Very truly yours,

O'MALLEY & LANGAN, P.C.

  
Todd J. O'Malley  
[tomalley@omalleylangan.com](mailto:tomalley@omalleylangan.com)

TJO/jmr  
cc: John Campbell, Esquire (*via electronic filing*)

REPLY TO: ☐ Pittston Office:  
9 North Main Street  
Pittston, PA 18640  
(570) 883-1321  
FAX (570) 883-1250

REPLY TO: ☒ Scranton Office:  
The O'Malley & Langan Bldg.  
201 Franklin Avenue  
Scranton, PA 18503  
(570) 344-COMP (2667)  
FAX (570) 344-6199

REPLY TO: ☐ Towanda Office:  
213 Main Street, 2nd Floor  
Towanda, PA 18848  
(570) 265-5800